

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MAHLANI KATAYA RED EAGLE,  
aka *Mahlani Dupree*

Defendant.

**CR-18-98-GF-BMM**

**ORDER**

Defendant Mahlani Kataya Red Eagle appeared before United States Magistrate Judge John Johnston on January 16, 2019, for a change of plea hearing. (Doc. 27.) Red Eagle entered a plea of guilty to Possession with Intent to Distribute Methamphetamine in violation of 21 U.S.C. § 841(a)(1) as charged in the Indictment. (Doc. 21.) Red Eagle plead true to the forfeiture allegation as contained in the Indictment. (Doc. 30 at 1.) Judge Johnston entered Findings and Recommendations on January 16, 2019. (Doc. 30.)

Judge Johnston determined: (1) that Red Eagle was fully competent and capable of entering an informed and voluntary plea and admission to the forfeiture allegation; (2) that Red Eagle was aware of the nature of the charge against her and the consequences of pleading guilty to the charge against her; (3) that Red Eagle

understood the forfeiture allegation and the consequences of admitting to the forfeiture allegation; (4) that Red Eagle understood her constitutional rights, and the extent to which she was waiving those rights by pleading guilty to the charge against her and admitting to the forfeiture allegation; and (5) that Red Eagle's plea of guilty to the charge against her and her admission of true to the forfeiture allegation were both knowingly and voluntarily entered and both were supported by an independent basis in fact sufficient to prove each of the essential elements of Count I and the forfeiture allegation. (Doc. 30 at 1-2.)

Judge Johnston recommended that the Court accept Red Eagle's plea of guilty Possession with Intent to Distribute Methamphetamine in violation of 21 U.S.C. § 841(a)(1) as charged in the Indictment. (Doc. 30 at 2.) Judge Johnston further recommended that the Court impose the agreed forfeiture against Red Eagle. (Doc. 30 at 2.)

Neither party filed objections. The Court will review Judge Johnston's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no error and adopts Judge Johnston's Findings and Recommendations in full.

Accordingly, IT IS ORDERED that Red Eagle's Motion to Change Plea (Doc. 30) is GRANTED.

DATED this 7<sup>th</sup> day of February, 2019.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

---

Brian Morris  
United States District Court Judge